



Reprinted
February 26, 1999

SENATE BILL No. 354

DIGEST OF SB354 (Updated February 25, 1999 4:03 pm - DI 44)

Citations Affected: IC 6-1.1.

Synopsis: Promotion of bond issues by political subdivisions. Prohibits a political subdivision from using its resources to promote a position on a petition for or remonstrance against a bond issue during the 60 day period following the notice of applicability of the petition and remonstrance process.

Effective: July 1, 1999.

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January 11, 1999, read first time and referred to Committee on Finance.
February 22, 1999, amended, reported favorably — Do Pass.
February 25, 1999, read second time, amended, ordered engrossed.

SB 354—LS 7155/DI 44+



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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 354

A BILL FOR AN ACT to amend the Indiana Code concerning
taxation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 6-1.1-20-10 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 1999]: **Sec. 10. If a petition and remonstrance process is**
- 4 **commenced under section 3.2 of this chapter, during the sixty (60)**
- 5 **day period commencing with the notice under section 3.2(1) of this**
- 6 **chapter, the political subdivision may not promote a position on the**
- 7 **petition or remonstrance by doing one (1) or more of the following:**
- 8 (1) **Allowing facilities owned by the political subdivision to be**
- 9 **used for public relations purposes to promote a position on**
- 10 **the petition or remonstrance, unless equal access to the**
- 11 **facilities is given to persons with a position opposite to that of**
- 12 **the political subdivision.**
- 13 (2) **Making an expenditure of money from a fund controlled**
- 14 **by the political subdivision to promote a position on the**
- 15 **petition or remonstrance or to pay for the gathering of**
- 16 **signatures on a petition or remonstrance. This subdivision**
- 17 **does not prohibit a political subdivision from making an**

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1 expenditure of money to an attorney, architect, construction
2 manager, or financial advisor for professional services
3 provided with respect to a controlled project.

4 (3) Using an employee to promote a position on the petition or
5 remonstrance during the employee's normal working hours
6 or paid overtime.

7 However, this section does not prohibit an employee from carrying
8 out duties with respect to a petition or remonstrance that are part
9 of the normal and regular conduct of the employee's office or
10 agency.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Finance, to which was referred Senate Bill No. 354, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 8 through 13, begin a new line block indented and insert:

"(1) Allowing facilities owned by the political subdivision to be used for public relations purposes to promote a position on the petition or remonstrance, unless equal access to the facilities is given to persons with a position opposite to that of the political subdivision.

(2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the petition or remonstrance or to pay for the gathering of signatures on a petition or remonstrance.

(3) Using an employee to promote a position on the petition or remonstrance during the employee's normal working hours or paid overtime.

However, this section does not prohibit an employee from carrying out duties with respect to a petition or remonstrance that are part of the normal and regular conduct of the employee's office or agency."

and when so amended that said bill do pass.

(Reference is to SB 354 as introduced.)

BORST, Chairperson

Committee Vote: Yeas 8, Nays 6.

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SENATE MOTION

Mr. President: I move that Senate Bill 354 be amended to read as follows:

Page 1, line 16, after "remonstrance." insert "**This subdivision does not prohibit a political subdivision from making an expenditure of money to an attorney, architect, construction manager, or financial advisor for professional services provided with respect to a controlled project.**".

(Reference is to SB 354 as printed February 23, 1999.)

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